

CHAPTER 97.

OF PUBLIC EVENING SCHOOLS.

S. F. 368.

AN ACT to provide for evening schools when necessary for adult persons or other persons.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Evening schools authorized. The school board of
2 any organized school district within the state is hereby authorized
3 and empowered under the control and supervision of the city or coun-
4 ty superintendent to establish and maintain public evening schools
5 as a branch of the public schools when said school board shall deem
6 advisable for the public convenience and welfare, and said evening
7 schools shall be available to all persons over sixteen (16) years of
8 age, who from any cause are unable to attend the public day schools
9 of such district.

1 SEC. 2. Evening schools—when holding mandatory. When-
2 ever in any organized school district within the state there shall be
3 residing ten or more persons over sixteen (16) years of age, who de-
4 sire instruction at an evening school in the common branches, it shall
5 be the duty of the school board of such organized school district to
6 establish and maintain an evening school for such instruction through-
7 out a period of not less than three months of every school year and
8 for not less than two hours at least two times each week during the
9 term of such evening school, which school shall be under the control
10 and supervision of the city or county superintendent.

Approved March 31, A. D. 1917.

CHAPTER 98.

CITY OF HAMBURG.

S. F. 396.

AN ACT to legalize certain warrants of the city of Hamburg, Iowa.

WHEREAS, the city of Hamburg, in the county of Fremont, state of Iowa, did heretofore make certain expenditures and issue warrants in the sum of twelve thousand five hundred dollars (\$12,500.00) to evidence the indebtedness incurred in making said expenditures, said warrants being the following warrants against the general fund, to wit: No. 146 for \$3.00, No. 148 for \$4.50, No. 149 for \$7.50, No. 151 for \$4.50, No. 153 for \$5.50, No. 154 for \$150.00, No. 156 for \$31.00, and No. 157 for \$52.50, dated May 14, 1913, No. 158 for \$23.75 dated June 3, 1913, No. 159 for \$47.92 dated June 9, 1913, No. 167 for \$43.50, No. 174 for \$54.35, No. 175 for \$35.00, No. 176 for \$32.50, No. 177 for \$16.25, No. 178 for \$26.00,

No. 179 for \$180.10, No. 180 for \$17.50, No. 183 for \$125.00, No. 184 for \$90.00, and No. 190 for \$44.00 dated June 11, 1913, No. 201 for \$10.50, No. 203 for \$10.45, No. 205 for \$65.55, No. 207 for \$125.00, No. 208 for \$51.88, No. 209 for \$31.25, No. 210 for \$34.75, No. 212 for \$48.00, No. 213 for \$21.25, No. 214 for \$21.75, and No. 215 for \$37.50, dated July 9, 1913, No. 218 for \$8.50, No. 219 for \$40.00, No. 220 for \$52.85, No. 223 for \$47.15, No. 224 for \$14.50, No. 228 for \$209.05, No. 231 for \$48.00, No. 232 for \$18.50, No. 233 for \$18.75, No. 234 for \$29.25, No. 236 for \$12.55, and No. 241 for \$12.40 dated August 13, 1913, No. 243 for \$30.00, No. 251 for \$45.00, No. 252 for \$43.75, No. 253 for \$36.25, No. 254 for \$22.00, No. 255 for \$10.00, No. 256 for \$16.25, and No. 257 for \$15.75 dated September 10, 1913, No. 269 for \$26.95, No. 275 for \$63.00, No. 278 for \$16.25, No. 279 for \$44.75, No. 280 for \$50.50, No. 281 for \$48.75, No. 282 for \$53.50, No. 283 for \$11.00, No. 285 for \$56.25, No. 286 for \$70.00, and No. 287 for \$50.50 dated October 8, 1913, No. 294 for \$26.20, No. 295 for \$12.60, No. 296 for \$13.75, No. 297 for \$10.00, No. 298 for \$4.25, No. 299 for \$16.43, No. 300 for \$7.43, No. 301 for \$8.78, No. 302 for \$65.48, No. 304 for \$56.71, No. 305 for \$52.22, No. 306 for \$7.40, No. 307 for \$57.55, No. 308 for \$52.80, No. 309 for \$83.75, No. 310 for \$65.10, No. 311 for \$5.60, No. 312 for \$9.90, No. 313 for \$37.50, No. 315 for \$5.00, No. 318 for \$22.18, and No. 321 for \$152.75 dated Nov. 12, 1913, No. 322 for \$20.00, No. 324 for \$15.70, No. 335 for \$139.09, No. 336 for \$30.98, No. 338 for \$1.80, No. 339 for \$4.05, No. 340 for \$4.05, No. 342 for \$21.00, No. 343 for \$21.15, No. 344 for \$6.80, No. 345 for \$5.40, No. 346 for \$9.00, No. 347 for \$15.43, No. 350 for \$18.00, No. 351 for \$18.00, No. 352 for \$26.10, No. 353 for \$9.00, and No. 355 for \$10.35 dated December 10, 1913, No. 358 for \$60.05, No. 361 for \$8.25, No. 362 for \$10.20, No. 363 for \$2.45, No. 366 for \$1.50, No. 377 for \$100.00, No. 380 for \$19.00, No. 381 for \$6.30, No. 382 for \$13.50, No. 383 for \$9.00, No. 384 for \$2.25, No. 385 for \$2.90, No. 388 for \$12.00, No. 389 for \$10.50, No. 390 for \$3.75, No. 391 for \$2.85, No. 392 for \$30.00, No. 393 for \$516.92, and No. 394 for \$516.92 dated January 14, 1914, No. 403 for \$262.03 and No. 404 for \$50.00 dated February 5, 1914, No. 408 for \$2.00 and No. 410 for \$12.00 dated February 11, 1914, No. 411 for \$13.50, No. 412 for \$2.00, No. 413 for \$5.10, No. 416 for \$3.25, No. 417 for \$2.00, No. 418 for \$3.00, No. 419 for \$6.00, No. 420 for \$3.00, No. 421 for \$10.50, No. 422 for \$11.50, No. 427 for \$12.50, No. 428 for \$540.23, No. 429 for \$8.10, No. 431 for \$7.47, No. 432 for \$8.00, No. 435 for \$8.93, and No. 436 for \$2.25 dated February 12, 1914, No. 443 for \$9.75, No. 466 for \$512.17, No. 467 for \$512.17, No. 468 for \$512.17, and No. 469 for \$512.17 dated March 12, 1914, No. 472 for \$33.00, No. 473 for \$15.75, No. 474 for \$18.15, No. 475 for \$14.75, No. 476 for \$12.00, No. 477 for \$3.00, No. 480 for \$4.35, No. 483 for \$1.20, No. 487 for \$100.00, No. 492 for \$3.65, and No. 496 for \$6.00, dated April 8, 1914, No. 499 for \$1.00, No. 500 for \$25.50, No. 501 for \$7.51, No. 502 for \$32.42, No. 508 for \$10.50, No. 518 for \$2.00, No. 519 for \$2.35, No. 520 for \$3.50, No. 521 for \$4.00, No. 522 for \$2.50, and No. 523 for \$228.72, dated May 13, 1914, No. 526 for \$23.38, No. 527 for \$32.61, No. 528 for \$21.00, No. 529 for \$26.43, No. 530 for \$8.12, No. 531 for \$407.50, No. 532 for \$6.93, No. 541 for \$10.95, No. 551 for \$4.00, No. 552 for \$3.00, and No. 553 for \$33.00 dated June 10, 1914, No. 554 for \$3.75, No. 555 for \$284.07, No. 557 for \$1.00, No. 558 for \$1.00, No. 559 for \$7.50, No. 560 for \$15.00, No. 561 for \$3.00, No. 569 for \$1.00, No. 571 for \$20.90, and No. 572 for \$12.96 dated July 8, 1914, No. 605 for \$12.30,

No. 611 for \$30.00, No. 612 for \$20.00, No. 613 for \$8.50, No. 614 for \$4.00, No. 615 for \$26.25, No. 616 for \$30.00, No. 617 for \$9.50, No. 618 for \$33.00, No. 619 for \$5.25, and No. 620 for \$382.50 dated August 12, 1914, No. 621 for \$45.00, No. 626 for \$3.00, No. 627 for \$7.50, No. 628 for \$4.00, No. 631 for \$1.50, No. 639 for \$6.00, No. 641 for \$1.00, and No. 651 for \$11.00 dated September 9, 1914, No. 652 for \$1.50, No. 653 for \$13.00, No. 654 for \$57.00, No. 656 for \$2.50, and No. 657 for \$9.87 dated October 15, 1914, No. 677 for \$5.25, No. 678 for \$3.75, No. 679 for \$5.00, No. 680 for \$18.00, No. 682 for \$44.00, No. 706 for \$4.50, No. 708 for \$21.75, No. 710 for \$45.00 and No. 1036 for \$819.15 dated November 11, 1914, No. 1077 for \$35.00, No. 1086 for \$78.55, No. 1089 for \$200.00, No. 1091 for \$250.00, No. 1092 for \$250.00, and No. 1093 for \$100.00 dated January 26, 1916, and No. 1108 for \$69.24 and No. 1110 for \$184.08 dated February 29, 1916, all of which warrants, together with interest accrued thereon up to the present time are now outstanding, payable, and due, and

WHEREAS the total indebtedness of said city does not now, including said warrants and the interest accrued thereon, and did not at the time of the issuance of any one of said warrants, including such warrant, or at the time of the contracting of any item of indebtedness evidenced by said warrants, including such item of indebtedness, exceed the constitutional limitation on indebtedness; and

WHEREAS said expenditures were all made for purposes authorized by law, and said city has enjoyed the use and benefits of the said expenditures, and the results of said expenditures were well worth the price which said city contracted should be paid therefor; and

WHEREAS doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's authorized annual revenues; and

WHEREAS doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's annual revenue actually levied; and

WHEREAS doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were not provided for in said city's annual appropriations; and

WHEREAS doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence, or a portion thereof, was contracted in excess of the statutory limitation on indebtedness; and

WHEREAS doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that at the time of the making of such expenditures or at the time of the issuance of such warrants, said city was organized under improper classification as a city of the second class or a town, and on further ground that the procedure for the making of such expenditures or the issuance of such warrants was not in conformity with the laws governing the proper classification of said city; and

WHEREAS it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants forever at rest; now therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Expenditures and issuing of warrants legalized.

1 That the acts of the council and officers of the city of Hamburg, in
2 the county of Fremont, state of Iowa, in making expenditures for
3 said city and issuing warrants to evidence the indebtedness incurred
4 in making said expenditures in the sum of twelve thousand five hun-
5 dred dollars (\$12,500.00), to wit: the warrants referred to in the
6 preamble of this act, be and the same are hereby legalized the same
7 in effect as if the law had in all respects been complied with.

1 **SEC. 2. Warrants legalized.** The aforesaid warrants of said city,
2 together with all unpaid accrued interest thereon, be and the same
3 are hereby legalized and declared to be and to constitute valid, legal,
4 and subsisting obligations and indebtedness of said city, the same in
5 effect as if the law had in all respects been complied with.

1 **SEC. 3. Pending litigation.** Nothing in this act shall affect any
2 pending litigation.

1 **SEC. 4. Publication clause.** This act, being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in the Des Moines Register, a newspaper published at Des
4 Moines, Iowa, and the Hamburg Republican, a newspaper published
5 at Hamburg, Iowa, without expense to the state.

Approved March 31, A. D. 1917.

I hereby certify that the foregoing act was published in the Des Moines Register April 6, 1917, and in the Hamburg Republican April 13, 1917.

W. S. ALLEN, *Secretary of State.*

CHAPTER 99.

IOWA SOLDIERS' AND SAILORS' MONUMENT.

S. F. 401.

AN ACT to permanently fix the location of the Iowa Soldier's and Sailor's Monument now on the capitol grounds in the City of Des Moines, Iowa, and authorizing and requiring removal of the Allison monument by the executive council.

WHEREAS, there is now some question as to the permanence of the present location of the Iowa soldier's and sailor's monument on the capitol grounds where it is now standing; and

WHEREAS, efforts are being made to remove said monument, which, if accomplished, would cost not less than fifty thousand dollars (\$50,000) and might result in great damage to said monument: Therefore,

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Permanent location declared.** That the present loca-
2 tion of the Iowa soldier's and sailor's monument, now on the capitol